

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

REBEKAH FOUQUET,

Defendant.

Case No.: 2-12-CR-453-APG-GWF

**ORDER EXTENDING DEADLINE TO
FILE APPEAL AND DENYING
APPOINTMENT OF COUNSEL**

(DKT. ##197, 198)

Defendant Rebekah Fouquet has filed a "Motion to Appeal." She seeks a 30-day extension of the deadline by which she must file an appeal from my order denying her request for a reduction of her sentence. Fouquet also requests appointment of counsel for her appeal. Although not labeled as a notice of appeal, I will liberally construe the motion as a notice of appeal, and the clerk of court has docketed it as such. (Dkt. #196.)

Pursuant to Fed. R. App. P. 4(b)(1)(A), a defendant in a criminal case must file a notice of appeal within 14 days after entry of the order being appealed. Under Fed. R. App. P. 4(b)(4), that deadline may be extended upon a finding of excusable neglect or good cause. Fouquet indicates that her counsel has not responded to her emails concerning her appeal. That constitutes good cause to extend the appeal deadline. I denied Fouquet's request for relief on April 29, 2015, so she had until May 13, 2015 to file her notice of appeal. Because I have extended the deadline by 30 days, her notice of appeal filed on June 12, 2015 is timely. However, I see no reason to appoint counsel for her on appeal.


////

////

////

1 IT IS THEREFORE ORDERED that Fouquet's motion for an extension of the deadline to
2 appeal (**Dkt. # 198**) is **GRANTED** and her motion for appointment of counsel (**Dkt. #197**) is
3 **DENIED.**

4 DATED this 15TH day of June, 2015.

5 
6 _____
7 Andrew P. Gordon
8 United States District Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25